



**DEPARTMENT OF THE ARMY**  
HEADQUARTERS, FORT DETRICK  
810 SCHREIDER STREET  
FORT DETRICK, MD 21702-5000

REPLY TO  
ATTENTION OF:

MCHD-ESF

MEMORANDUM FOR All Fort Detrick Personnel and Residents

SUBJECT: Guidance on Use of Ground-based Sparklers on Fort Detrick

1. Federal law requires Fort Detrick personnel and residents to comply with Maryland State law pertaining to the use of fireworks. Fort Detrick prohibits the use of fireworks; however, ground-based sparklers are permitted. The use of ground-based sparklers on Fort Detrick is limited to Fort Detrick residents and authorized guests. Safety considerations further require reasonable restrictions as to the time and place for even reasonable use of combustibles and noise making items, such as those described below. I encourage you to be safe and, rather than use approved ground-based sparklers, take part in Frederick City's Fourth of July events at Baker Park or other local firework displays.

2. Areas A and B of Fort Detrick fall within the special maritime and territorial jurisdiction of the United States within the federal District of Maryland. In instances where Congress has not enacted a law directly on point, the Federal government applies, or assimilates, state law under the Assimilative Crimes Act (18 U.S. Code Sections 7 & 13). When discussing fireworks, the State statutes appear in Article 38A of the Fires and Investigations Article, Sections 15-24.

3. The term "fireworks" is defined to include: firecrackers, squibs, rockets, Roman candles, fire balloons, signal lights, and any combustible, explosive or implosive composition, or any substance or combination of substances or articles prepared for the purpose of producing a visible or an audible effect by combustion, explosion, implosion, deflagration, or detonation. "Fireworks" by definition does not include cap pistols, paper wrapped snappers, ash-producing pellets known as "snakes", sparklers containing no chlorates or perchlorates, or those ground-based sparkling devices approved by the Maryland State Fire Marshal. A list of all state-approved ground based sparklers may be viewed at [www.firemarshal.state.md.us/gbs\\_company.htm](http://www.firemarshal.state.md.us/gbs_company.htm).

4. Individuals who use prohibited fireworks items are subject to a \$250 fine and forfeiture of the fireworks to the State Fire Marshal. Individuals who illegally sell fireworks or other combustibles such as sparklers without obtaining the proper permitting and registration are subject to possible fine, forfeiture, and in certain cases imprisonment. See Annotated Code of Maryland, Article 38A, Fires and Investigations Title, Sections 17-19A. Violators are also subject to further administrative action by the command such as restrictions to access to some or all installation facilities or termination of military family housing.

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5. All are cautioned that some Maryland jurisdictions away from Frederick have additional ordinances and restrictions on these items otherwise permitted by the state law.
6. The following additional restrictions on use are imposed: ground-based sparklers may only be used in the residential areas on post; no sparklers or other authorized items listed in paragraph 3 will be used by children under the age of 16 without the express supervision of an adult over the age of 18; no item that requires ignition with a flame will be used except on a sidewalk, driveway or other paved surface; no item will be used in a manner that will cause damage to the property of others; and no items will be used except on 4 July 2009, from 1800 to 2200 hours.
7. Compliance with this guidance is enforceable in accordance with Federal law.

/Original Signed/  
JUDITH D. ROBINSON  
Colonel, MS  
Commanding